IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 19388 of 2006

Date of Decision : 08.12.2006

Mohinder Jit Kaur ... Petitioner

Versus

State of Punjab and others. .. Respondents

CORAM : HON'BLE MR. JUSTICE J.S. KHEHAR,
HON'BLE MR. JUSTICE S.D. ANAND.

Present : Mr. B.S. Sidhu, Advocate,
for Mr. S.S. Salar, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

The petitioner was transferred by an order dated 20.09.2006 (Annexure P-1). The aforesaid transfer order, however, came to be cancelled within a span of few days by an order dated 10.12.2006 (Annexure P-2). It is the vehement contention of the learned counsel for the petitioner, that respondent No.3 manipulated her transfer again by a subsequent order dated 31.10.2006 (Annexure P-3) through the good offices of the local M.L.A. It is therefore, apparent, that the primary grievance of the petitioner is, that the impugned transfer order dated 31.10.2006 (Annexure P-3) is based on extraneous considerations and mala fides. It is not possible for us to evaluate and adjudicate upon the instant contention of the learned counsel for the petitioner, on account of the fact, that the petitioner has not impleaded as a party respondent the concerned M.L.A. against whom the allegations have been levelled at the hands of the petitioner.

It is also the contention of the learned counsel for the petitioner that the instant transfer of the petitioner repeatedly is in clear violation of the

transfer policy issued by the State Government. Although it does not lie in the mouth of the petitioner to raise the instant contention, as the petitioner has not placed policy instructions on the record of the case. Be that as it may, the policy instructions issued by the Government, on the issue of transfer of employees, are merely directory and not mandatory, and as such, no right to continue at a particular place, can be claimed on the basis thereof.

No other contention advanced by the learned counsel for the petitioner.

For the reasons recorded above, we find no merit in this case, and the same is, accordingly, dismissed.

(J.S. Khehar)
Judge

December 08, 2006
vkd

(S.D. Anand)
Judge